

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c)	
Greenbaum, Rowe, Smith & Davis LLP Metro Corporate Campus One P.O. Box 5600 Woodbridge, New Jersey 07095 (732) 549-5600 Attorneys for the Jointly Administered Debtors David L. Bruck, Esq.	
In re:	Chapter 11 Proceeding
S.A.M. GRAPHICS, INC., et al.¹	Lead Case No.: 11-17642 (KCF)
Debtors.	
S.A.M. GRAPHICS, INC. et al.,	
Plaintiffs,	
vs.	Adversary Pro. No. 11-1809 (KCF)
COURIER SYSTEMS, INC.,	
Defendant.	

**CERTIFICATION OF DAVID L. BRUCK IN SUPPORT OF ORDER TO
SHOW CAUSE FOR RELIEF AND THE IMPOSITION OF SANCTIONS**

DAVID L. BRUCK, of full age, under oath, hereby declares as follows:

1. I am an attorney at law of the State of New Jersey, and a member of the law firm of Greenbaum, Rowe, Smith & Davis LLP, attorneys for S.A.M. Graphics, Inc., d/b/a School Photo Marketing and Millenium Graphics ("S.A.M"), Fundraising Solutions 2, Inc. ("FS2") and Fundraising Solutions, Inc. ("FS"), the above referenced Debtors and debtors-in-possession (collectively referred to as "Debtors").

¹ The following debtors filed for Chapter 11 protection, which cases are being jointly administered under Lead Case No. 11-17642-KCF: Fundraising Solutions 2, Inc., Case No. 11-17644-KCF; Fundraising Solutions, Inc., Case No. 11-17647-KCF.

2. I make this Certification to set forth certain comments between myself and my client and myself and Richard Murad, the representative of Courier Systems, Inc. over the past several days.

3. On June 6, 2011, I appeared at the hearing on the Order to Show Cause filed in this case seeking a turnover order against Defendant, Courier Systems, Inc. ("Courier" or the "Defendant") as outlined in the Verified Complaint. Mr. Murad appeared at the hearing on behalf of Courier, pro se. At the hearing, the Court directed Courier to turn over the property at Courier's facility belonging to the Debtor and advised Mr. Murad, in response to his questions regarding the use of his employees, forklifts and other moving equipment, that Courier would have to cooperate with the Debtor in the removal of Debtors' property and that Courier could file an administrative proof of claim in the case to seek compensation for post-petition charges including rent and costs incurred in assisting the Debtor in the removal of its property.

4. After the hearing, at the Court's request, I met with Mr. Murad in the hallway and advised him to obtain an attorney to assist him in the preparation and filing of a proof of claim. I also discussed with him the Debtor's intention to remove the property from Courier's facility and that the Debtor would contact him in order to alert him to the date or dates of removal. I told him that the Debtor would expect that Courier and its employees would treat the Debtor no differently than any other customer and would provide such services as Courier typically provides in removing the Debtor's property.

5. The Debtor's property is maintained on high racks in a dedicated area and in a 7,000 square foot freezer. A forklift must be used to remove the Debtor's property and to transfer it from the distribution center to the Debtor's trucks. The use of a forklift

and operator by the Distribution Center's employees is customarily the manner in which property stored at such centers is removed. Outside personnel and machines are not permitted to do the work. Such is the manner in which Courier conducts its business.

6. Mr. Murad advised that he would require a Certificate of Insurance naming Courier as an insured and proof of worker's compensation insurance although he gave me no reason why. The removal of the property needs to be accomplished by Courier's employees and once it is on the Debtor's truck, Courier has no further interest.

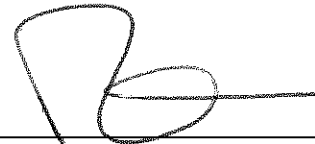
7. Yesterday, June 7, 2011, the Debtor, through Cathy Simonson, the Debtor's COO, called Mr. Murad and told him that the Debtor wished to pick up certain equipment stored at Courier's facility which was identified in the Debtor's Verified Complaint as computers, scanners and related equipment. Mr. Murad told Ms. Simonson that the equipment was not at the Courier facility and then hung up the phone. Upon being advised of Mr. Murad's resistance, I prepared and telefaxed a letter to him, a copy of which is attached as EXHIBIT A. In response, I received a message from his office by telefax, a copy of which is attached as EXHIBIT B, advising that Mr. Murad was out of the office having reconstructive surgery and might be back in the office on Thursday.

8. On June 8, 2011, I received a telephone call from Mr. Murad, apparently not in surgery, in which he told me that he would not provide his employees or a forklift to assist the Debtor in removing its property notwithstanding the fact that upon my questioning, he admitted that there were forklifts and employees available at the facility. With respect to Ms. Simonson's telephone call to him, he objected to what he perceived as the Debtor coming "fifty times" to remove the property. I assured him that the

Debtor intended only to remove the computers and related equipment which did not require a truck, and not to remove the inventory. The Debtor's effort to remove its property once yesterday was resisted. The Debtor requires the Court's assistance.

9. I am filing the within Certification in support of the Debtor's application for an immediate hearing to enforce compliance against Courier with the Court's Order and further seeking the imposition of sanctions, a reimbursement for the cost of filing this motion, and an Order holding Mr. Murad and Courier in contempt for violating the Court's Order.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

A handwritten signature in black ink, appearing to be 'David L. Bruck', written over a horizontal line.

David L. Bruck

Dated: June 9, 2011

EXHIBIT A

MESSAGE CONFIRMATION

06/07/2011 15:20
ID=GREENBAUM

DATE	S.R-TIME	DISTANT STATION ID	MODE	PAGES	RESULT	S.C.
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06/07/2011 15:19 GREENBAUM → 12014329686 NO.287 0001

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INFO@GREENBAUMLAW.COM
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DATE: June 7, 2011

PLEASE DELIVER IMMEDIATELY TO:

NAME: Mr. Richard Murad
FIRM: Courier Systems, Inc.
FAX NUMBER: (201) 432-9686
TELEPHONE NUMBER: (201) 432-0550
CLIENT/MATTER NUM. 22017-001 S.A.M. Graphics, Inc., et al.
FROM: David L. Bruck, Esq.
MESSAGE:

Total number of pages including cover page: 2

If you do not receive all the pages or there is a malfunction, please call (732) 549-5600 ext. 3292 as soon as possible.

Fax numbers: (732) 549-1881, (732) 549-5733 or (732) 549-0315

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Greenbaum Rowe
Smith & Davis LLP
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June 7, 2011

VIA FAX/MAIL

Mr. Richard Murad
Courier Systems, Inc.
30 Pulaski Street
Bayonne, New Jersey 07002

Re: ***S.A.M. Graphics, Inc., et al.***
Lead Chapter 11 Case No. 11-17642 (KCF)

Dear Mr. Murad:

I have been advised by my client that he contacted your office today and that his COO, Controller, Cathy Simonson, spoke to you advising that the Debtors intended, pursuant to the Court's Order, to pick up its equipment consisting of five computers, one Dell server and nine RF scanners. Ms. Simonson was advised by you that you knew of no such equipment and that you then hung up the phone. This equipment was specified in the Complaint and you never said that it was not there.

Unless you advise me or my client within the next several hours and by the close of business today that you will comply with the Court's Order, I will file a motion holding you in contempt, seeking sanctions and costs against you. There will be no further notice of this application.

Very truly yours,


David L. Bruck

DLB:cmd
cc: Mr. Robert Klepner

EXHIBIT B

06/07/2011 15:30 2014329686

COURIER SYSTEMS

PAGE 01/01

06/07/2011 15:19

GREENBAUM → 12014329686

NO. 287 7001

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DATE: **June 7, 2011**

PLEASE DELIVER IMMEDIATELY TO:

NAME: **Mr. Richard Murad**
FIRM: **Courier Systems, Inc.**
FAX NUMBER: **(201) 432-9686**
TELEPHONE NUMBER: **(201) 432-0550**

CLIENT/MATTER NUM. **22017-001 S.A.M. Graphics, Inc., et al.**
TO: ~~FROM:~~ **David L. Bruck, Esq.**

MESSAGE: Please be advised that Mr. Richard Murad will not be back in the office today, as he has reconstructive surgery. He will be out on appointments on Wednesday and will most likely be in the office on Thursday.

Total number of pages including cover page: **2**

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